

Before the
Federal Communications Commission
Washington, D.C. 20554

5. IT IS FURTHER ORDERED that a copy of this Order shall be sent by certified mail, return receipt requested to Margaret G. Taylor.

FEDERAL COMMUNICATIONS COMMISSION

In the Matter of

Margaret G. Taylor NAL/Acct. No. 315VB0023
Windmere, Florida

Richard M. Smith
Chief, Field Operations Bureau

ORDER

Adopted: April 29, 1994; Released: May 10, 1994

By the Chief, Field Operations Bureau:

I. INTRODUCTION

1. Margaret G. Taylor filed a Petition for Reconsideration, requesting reconsideration of the monetary forfeiture of \$2,000 issued for violation of Section 301 of the Communications Act of 1934, as amended (the Act), 47 U.S.C. § 301. For the reasons noted below, we are cancelling the monetary forfeiture.

II. BACKGROUND

2. On May 25, 1993, the Commission's Vero Beach Office issued a Notice of Apparent Liability (NAL) to Margaret G. Taylor. The penalty was imposed for operating an unlicensed radio station on Amateur Radio frequency 145.53 MHz. Based on the response from Margaret G. Taylor, the Vero Beach Office issued a Notice of Forfeiture (NOF) for \$2,000 on June 17, 1993. Margaret G. Taylor now appeals. The Petitioner contends that she should have been issued a warning prior to imposition of any forfeiture, and that she is unable to pay because of her age and financial condition.

III. DISCUSSION AND CONCLUSION

3. The arguments raised in Petitioner's letter, which is hereby accepted as a Petition for Reconsideration, have been thoroughly considered and are incorporated herein by reference. Upon review of these arguments as well as review of the NAL and NOF, we find that the amount of the forfeiture imposed exceeds Petitioner's ability to pay and, therefore, in accord with the Commission's forfeiture guidelines, reduced the amount of the forfeiture on this basis. Additionally, Petitioner was granted a reduction because she has no history of prior violations of Commission Rules. After these reductions, we have determined that Petitioner's liability is \$0.00. Given this fact and considering all the circumstances present in this case, we are cancelling this forfeiture.

IV. ORDERING CLAUSES

4. IT IS ORDERED THAT, pursuant to Section 503(b) of the Act, U.S.C. § 503(b), and Section 1.106 of the Rules, 47 C.F.R. § 1.106, the petition for reconsideration is GRANTED and the monetary forfeiture is CANCELLED.